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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,302	03/21/2005	Lars Neupart	606-74-PCT-PA	9636
22145 7590 12/24/2008 KLEIN, O'NEILL & SINGH, LLP 43 CORPORATE PARK SUITE 204 IRVINE, CA 92606			EXAMINER CHEN, SHIN HON	
			ART UNIT 2431	PAPER NUMBER
			MAIL DATE 12/24/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/501,302	Applicant(s) NEUPART, LARS	
	Examiner SHIN-HON CHEN	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9 and 11 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Lineman et al. U.S. Pat. No. 20030065942 (hereinafter Lineman).
4. As per claim 1, Lineman discloses a computer system for providing security awareness in an organization, comprising: a memory means, constituted by a hard disk or Random Access Memory device, a central processor unit connected to said memory means, an input device, constituted by a mouse or keyboard device, connected to said central processor unit, for the input of a piece of security information into said computer system (Lineman: [0032]: creating security policy document), an output device, constituted by a printer or display device, connected to said central processor unit for the output of security information (Lineman: figure 4A and 4B), a policy module communicating with said input device and said memory means for the conversion of said piece of security information into an information security object, said information security object stored in said memory means (Lineman: [0033]: create a security policy and

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represent the policy information in machine readable and human readable forms), and a survey module communicating with said memory means and said output means for generating from said information security object an element of a questionnaire to be output by means of said output device (Lineman: [0036]: quiz associated with security policy document and figure 2); wherein said modular content includes an object category, an object descriptor, an object content, a content category, and a target group (Lineman: [0044]: the policy wizard allows the administrator to draft questionnaires accordingly).

5. As per claim 2, Lineman discloses the computer system according to claim 1. Lineman further discloses the system comprising an educational module communicating with said memory means for receiving through said input device a set of answers to said questionnaire and for comparing said set of answers of said questionnaire with said information security objects for determining the correct and the incorrect answers, and generating, based on said incorrect answers, an educational program to be output by means of said output device (Lineman: [0075]: score the quizzes; [0082]: target the weakness that needs to be addressed).

6. As per claim 3, Lineman discloses the computer system according to claim 2. Lineman further discloses said set of answers being stored in said memory means (Lineman: [0075]: determine the score).

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7. As per claim 4, Lineman discloses the computer system according to any of the claims 1-3. Lineman further discloses said memory means being organized as a database (Lineman: [0052]).

8. As per claim 5, Lineman discloses the computer system according to any of the claims 1-3. Lineman further discloses said computer system constituting a stand alone computer or alternatively a computer system including a network and a plurality of PC's each including an input device and an output device to be operated by a respective user (Lineman: [0026]: enterprise network).

9. As per claim 6, Lineman discloses the computer system according to any of the claims 1-3. Lineman further discloses said central processor unit controls in said conversion of said piece of said security information into said information security object, said policy module to check in said memory means the possible presence of a corresponding security information object (Lineman: figure 2 and [0032]).

10. As per claim 7, Lineman discloses a method of providing security awareness in an organization, comprising receiving a piece of security information (Lineman: [0032] and figure 2: receive user specified security policy information), modularizing said piece of security information to create an information security object (Lineman: [0034]: the security policy object is created to affect the entire network), storing said information security object in a memory means, said information security object being generated in a policy module (Lineman: [0032]),

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generating in a survey module an element of a questionnaire from said information security object and output said questionnaire including said element (Lineman: [0036]).

11. As per claim 8, Lineman discloses the method according to claim 7. Lineman further discloses the method comprising the computer system according to any of the claims 1-3 (Lineman: [0026] and [0031]).

12. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Townsend U.S. Pub. No. 20020188861 (hereinafter Townsend).

13. As per claim 11, Townsend discloses a method of providing security awareness in an organization, comprising: receiving security information (Townsend: [0024]); modularizing the security information to create an information security object (Townsend: [0027]); assigning a security level value to said information security object; and compiling said information security object into a security policy including other information security objects having the same security level value (Townsend: [0027]); and generating in a survey module an element of a questionnaire from said ISO (Townsend: [0024] and [0053]); wherein said modular content includes an object category, an object descriptor, an object content, a content category, and a target group (Townsend: [0024]: tailor the questionnaire accordingly).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lineman in view of Townsend.

16. As per claim 9, Lineman discloses a computer system for providing security awareness in an organization, comprising: a memory means coupled to a central processing unit; an input device coupled to said central processor unit for receiving security information into said computer system; and output device coupled to said central processor unit for outputting security information; and an information security object stored in said memory means, said information security object including modular content derived from said security information and having a unique identifier, said unique identifier used to link said information security object to an organization and the policy document is created according the security level of the organization specified by administrator (Lineman: [0032]-[0033]: the security policy is converted into machine readable and human readable forms and is modularized to affect the enterprise network; [0044] and [0055]: the administrator selects categories to tailor a policy document suitable for the organization and the policy includes identifier) wherein said modular content includes an object category, an object descriptor, an object content, a content category, and a target group (Lineman: [0044]: the policy wizard allows the administrator to draft questionnaires

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accordingly); and a survey module communicating with said memory means and said output means for generating from said information security object an element of a questionnaire to be output by means of said output device (Lineman: [0036]: quiz associated with security policy document and figure 2). Lineman does not explicitly disclose the policy information includes a security level indicating the level that matches a default security level of the organization. However, Townsend discloses creating a security model based on the security level of an organization and the security model includes a countermeasure and strength level (Townsend: [0010]). It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to prompt the administrator to select the desired security protection and determine a security level of an organization, then creating a security object suitable for the organization based on the security level because both prior art are related to enterprise security awareness system. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Townsend within the system of Lineman because it provides reliable, repeatable, cost efficient, and consistent system for enterprise network (Townsend: [0009]).

Response to Arguments

17. Applicant's arguments filed on 10/1/08 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant mainly argues that the prior art of record does not disclose automated system for generating questionnaires and that the ISO is distinct from policy documents. However, the claims are silent regarding the automation process and the

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claims do not specifically differentiate the difference between ISO and policy document.

Furthermore, Lineman discloses that the policy document can be used to automatically generate sets of quizzes to track user's understanding of policies (Lineman: [0067]). Therefore, applicant's argument is traversed in light of above explanation.

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Examiner
Art Unit 2431

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